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From: Werner H. Schroeder  
Patent Agent  
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response to a second requirement for  
election of species

Werner H. Schroeder  
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Total Number of Pages in This Submission

2

Application Number 104513,946

Filing Date 07/07/2003

First Named Inventor Kevin T. Connolly

Art Unit 3826

Examiner Name Winnie S. Yip

Attorney Docket Number

**ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☒ Amendment/Reply☐ After Final☐ Affidavits/Declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
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Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
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(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please identify  
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Response to a second requirement for election of species

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Werner H. Schroeder

Date

Reg. No.

38,387

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## **Response to a second requirement for Restriction**

**Application No. 10/613,946**

This communication is a response to a second requirement for an election of species. The requirement for an election of species has a mailing date of 11/21/2005 and sets forth a shortened statutory period for response of one month which would expire on 12/21/2005.

In making the original election, the applicant was confused whether to elect one group with of all the species therein or whether to elect one species from each group.

Group I is a means for fastening a rain cover at peripheral points;

Group II is a connection at a bottom of the umbrella to another structure.

A telephone call was placed to the examiner Winnie S. Yip in charge of this application to clear up the above noted confusion. The Examiner was most helpful in this matter and the new election of species will follow below.

Applicant hereby elects:

Group I including Fig. 1 and Fig. 2A and the claims 1 and 4 reading thereon and

Group II including Figs 1 and 4 including claims 1 and 9 - 11 as reading thereon.

Claim 1 is generic to each of the groups and should be examined therewith.

If any issues remain in this regard, the examiner is respectfully requested to call the undersigned at (239) 592-5843.

  
Werner H. Schroeder

Reg. No. 36,387

Date: 12/01/05